

DECISION RECORD

Decision: It is my decision to authorize the issuance of a term grazing permit/lease of public lands on the Marley Ranches Ltd, Allotment #65052. Any additional mitigation measures identified in the environmental impacts sections of the attached environmental assessment have been formulated into stipulations, terms and conditions. Any comments made to this proposed treatment were considered and any necessary changes have been incorporated into the environmental assessment.

Signed by T. R. Kreager
Assistant Field Manager

5/18/99
Date

**ENVIRONMENTAL ASSESSMENT
for
GRAZING AUTHORIZATION**

ALLOTMENT 65052, SECTION 15

EA-NM-066-98-152

September, 1998

**U.S. Department of the Interior
Bureau of Land Management
Roswell Field Office
Roswell, New Mexico**

I. Introduction

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing lease on allotment #65052. The scope of this document is limited to the effects of issuing a 10 year grazing lease, other future actions such as range improvement projects will be addressed in a project specific environmental assessment. There are no current plans for additional management actions on this allotment.

A. Purpose and Need for the Proposed Action

The purpose of issuing a new grazing lease would be to authorize livestock grazing on public lands on allotment #65052. The lease would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, and 4130.3-2.

B. Conformance with Land Use Planning

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision. The proposed action is consistent with the RMP/EIS.

C. Relationships to Statutes, Regulations, or Other Plans

The proposed action is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Federal Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

Proposed Action and Alternatives

A. Proposed Action:

The proposed action is to authorize Marley Ranches, Ltd, a grazing lease for 1 cattle yearlong at 100% Federal Range for 12 Animal Unit Months (AUM's)

B. No Lease authorization alternative:

This alternative would not issue a new grazing lease. There would be no livestock grazing authorized on public land within allotment #65052.

III. Affected Environment

A. General Setting

Allotment #65052 is located in Chaves County, approximately 40 miles east of Roswell, New Mexico. The allotment contains 40 acres of Public land. The ranch also contains private land, but these lands are not credited because only the Public land is accounted for under this section 15 lease.

This allotment lies outside of the Roswell Grazing District boundary established subsequent to the Taylor Grazing Act (TGA). Grazing authorization on Public Lands outside of the Grazing District boundary is governed by section 15 of the TGA. Overall livestock numbers for the ranch are not controlled by the Bureau of Land Management (BLM) under this section 15 lease. This is due primarily to the small amounts of public land and/or the public lands are situated in small, isolated tracts that cannot be managed as effectively as larger, well blocked public lands. Amounts of forage produced on Public Land determines the livestock use authorized by the lease.

The landscape is relatively flat to rolling with mesquite grasslands at the base of the caprock, which runs north/south. The mesquite grassland transitions to a shinnery oak dunes community as you move west on the allotment. More detailed information of the area is discussed under the affected resources section.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, Areas of Critical Environmental Concern, Floodplains, Minority/Low Income Populations, Wild and Scenic Rivers, Hazardous/Solid Wastes, Wetlands/Riparian Zones. Native American Religious Concerns. Cultural inventory surveys would continue to be required for public actions involving surface disturbing activities.

B. Affected Resources

1. Soils: The soils on the 40 acres of public land on this allotment are IMA fine sandy loam. Runoff is medium or slow, water erosion is severe, soil blowing is moderate. Gullies on this soil are caused by runoff from the steep and higher lying areas. For more information, refer to Soil Survey of Chaves County New Mexico, Southern Part.

2. Vegetation: The primary ecological (range) sites on the public lands in this allotment are Sandy Plains CP-2. Key vegetation is black grama, plains bristle grass, sand dropseed, three awn with mesquite as an invading shrub. Currently, the Roswell Field Office (RFO) has limited vegetative data for this allotment because of the allotment categorization.

The RMP/EIS established resource objectives for the Shinnery Oak Dune community. The vegetative cover by percent composition objectives for the SOD community are grasses 50 - 70 %, forbs 10 - 15 %, shrubs & trees 25 - 40 %. The ground cover objectives for this community are: bare ground 5 - 20 %, litter 25 - 70 %, small & large rock 0 - 1 %, grass & forbs 16 - 40 % and shrubs & trees 3 - 17 %.

No monitoring studies were established on this allotment because of the small acreage of public land and its placement in the custodial ("C") category. A recent field review of the public lands on this allotment indicated the existing ground cover to be fair to good. The Roswell Field Office has no established study sites within these ecological sites that provide ground cover and vegetative composition data that can be used for comparative purposes.

3. Wildlife: Game species occurring within the area include mule deer, pronghorn antelope, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area and associated Habitat Management Areas refer to the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1994).

4. Threatened and Endangered Species: There are no threatened or endangered species populations or critical habitat areas within the allotment.

5. Livestock Management: The allotment is operated as a cow/calf ranch. The expiring grazing lease is for 1 Animal Units (AU's) yearlong at 100% Public Land for 12 Animal Unit Months (AUM's). Actual livestock numbers on the entire ranch are not controlled by the BLM as explained in the General Setting portion of the Affected Environment section above.

6. Visual Resources: The allotment is located within a Class IV Visual Resource Management area. This means that contrasts may attract attention and be a dominant feature in the landscape in terms of scale. However, the changes should repeat the basic elements of the landscape.

7. Water Quality: No perennial surface water is found on the Public Land on this allotment.

8. Air Quality: Air quality in the region is generally good. The allotment is in a Class II area for the Prevention of Significant Deterioration of air quality as defined in the public Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

9. Recreation: Recreation opportunities are nonexistent in this grazing allotment because the public has no legal/physical access to the 40 acres of public land. The parcel of Public lands within this allotment are surrounded by private lands.

Off Highway Vehicle designation for public lands within this allotment are classified as "Limited" to existing roads and trails.

10. Cave/Karst: A complete significant cave or karst inventory has not been completed for the public lands located in this grazing allotment. Presently, no known significant caves or karst features have been identified within this allotment. If at a later date, a significant cave or karst feature is located on public lands within this allotment, that cave or feature may be fenced to exclude livestock grazing and Off Highway Vehicle Use. A separate environmental analysis would be prepared to construct this exclosure fence.

This allotment is located within a designated area of Low Karst or Cave Potential.

IV. Environmental Impacts

A. Impacts of the Proposed Action

1. Soils: Livestock remove the cover of standing vegetation and litter, and compact the soil by trampling (Stoddart et al. 1975). These effects can lead to reduced infiltration rates and increased runoff. Reduced vegetative cover and increased runoff can result in higher erosion rates and soil losses, making it more difficult to produce forage and to protect the soil from further erosion. These adverse effects can be greatly reduced by maintaining an adequate vegetative cover on the soil (Moore et al. 1979). Proper utilization levels and grazing distribution patterns are expected to retain sufficient vegetative cover on the allotment, this will maintain the stability of the soils. Soil compaction and excessive vegetative use will occur at small, localized areas such as bedding areas and along trails. Positive affects from the proposed action may include acceleration of the nutrient cycling process and chipping of the soil crust by hoof action may stimulate seedling growth and water infiltration.
2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. The area has been grazed by livestock since the early part of the 1900's, if not longer. Ecological condition and trend is expected to remain stable and/or improve over the long term with the proposed authorized number of livestock.
3. Wildlife: Wildlife will continue to compete with domestic livestock for forage and browse. Cover, and other habitat requirements for wildlife will remain the same as the existing situation. With proper utilization levels there will be adequate cover and forage for wildlife species; resulting in sustainable wildlife populations for those species that occupy the area.
4. T&E species: There would be no impacts to threatened or endangered species or habitat.
- 5 Livestock Management: Livestock would continue to be grazed under the same management system and the same numbers as authorized under the expiring lease. No adverse impacts are anticipated under the proposed action.
6. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape. The primary appearance of the vegetation within the allotment will remain the same.
7. Water Quality -. Direct impacts to surface water quality would be minor, short-term impacts during stormflow. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotment, and the soil would filter potential contaminants.

8. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would still be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.

9. Recreation: Grazing would have little or no affect on the recreational opportunities, since the recreating public has no legal or physical access to this parcel of public land. Recreation activities that could occur within this grazing allotment are non-existent due to land status patterns.

10. Caves/Karst: No known significant caves or karst features are known to exist on the public lands located within this allotment. Grazing would not affect the karst resources.

B. Impacts of the No Livestock Grazing Alternative.

1. Soils: . Soil compaction would be reduced on the allotment around old trails and bedding grounds, there would be a small reduction in soil loss on the allotment.

2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.

3. Wildlife: Wildlife would have no competition with livestock for forage and cover.

4. T&E Species: There would be no impacts to threatened or endangered species or habitat.

5. Livestock management: The forage from public land would be unavailable for use by the lessee. This would have a significant adverse economic impact to the livestock operation. If the No Grazing alternative is selected, the owner of the livestock would be responsible for ensuring that livestock do not enter Public Land [43 CFR 4140.1(b)(1)]. The checkerboard land status on the allotment makes it economically unfeasible to fence out the public land and use only the private land.

6. Visual Resources: There would be no change in the visual resources.

7. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during stormflow.

8. Air Quality: There would be a slightly less dust under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.

9. Recreation: Impacts would be the same as the proposed action.

10. Caves/Karst: Impacts would be the same as the proposed action.

V. Cumulative Impacts

All of the allotments that have permits/leases with the BLM will have to go through scoping and analysis under NEPA. Allotment #65052 is surrounded by allotments that will be undergoing this process. If the proposed action is selected, there would be no change in the cumulative impacts since it does not vary from the current situation.

If the no livestock grazing alternative is selected, there would be little change in the cumulative impact as long as the surrounding allotments continue to be stocked at their current level. If the leased numbers are reduced on the surrounding ranches as well, the economics of the surrounding communities and/or minority/low income populations would be negatively impacted.

The No Grazing alternative was considered, but not chosen in the Rangeland Reform Environmental Impact Statement (EIS) Record of Decision (ROD) (p. 28). The elimination of grazing in the Roswell Field Office Area was also considered but eliminated by the Roswell RMP/ROD (pp. ROD-2).

VI. Residual Impacts

None

VII. Mitigating Measures

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

VIII. Literature Cited

Moore, E., E. Janes, F. Kinsinger, K Pitney, and J. Sainsbury. 1979. Livestock grazing management and water quality protection - state of the art reference document. EPA 910/9-79-67. Envir. Prot. Agen. Seattle, WA 147 pp.

Stoddart, L.A., A.D. Smith, and T.W. Box. 1975. Range Management. Third Ed. McGraw-Hill, Inc., New York. 532 pp.

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the **proposed action** will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The **proposed action** will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

T. R. Kreager,
Acting Assistant Field Office Manager - Resources

Date

